IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO. 1471 OF 2005

IN

INCOME TAX APPEAL (LODG) NO. 519 OF 2005

The Commissioner of Income Tax .... Appellant

Vs.

M/s Navprabhat Packagings Ind. Ltd. .... Respondent

Mrs. P.P. Bhosale & Mr.B.M. Chatterji for Appellant.

CORAM : F.I. REBELLO, &
J.P. DEVADHAR, JJ.

DATE : 14TH AUGUST, 2007

P.C.

. The delay is of 333 days. We have considered the affidavit in support of the motion. Considering the delay in the Law Department, in our opinion, the cause shown would not amount to sufficient cause as no explanation has been offered the delay between 18/5/2004 and 19/4/2005. In the light of that, motion is dismissed.

(J.P. DEVADHAR, J.) **(F.I. REBELLO, J.)**

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. In view of dismissal of notice of motion, appeal does not survive and is dismissed accordingly. Refund of Court fee as per rules. Certified copy expedited.

(J.P. DEVADHAR, J.) **(F.I. REBELLO, J.)**